

**REMARKS**

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

**I. CLAIM STATUS AND AMENDMENTS**

Claims 13-30 were pending in this application when last examined.

Claims 24 and 26-30 were examined on the merits and stand rejected.

Claims 13-23 and 25 were withdrawn as non-elected subject matter. Applicants respectfully request rejoinder of claims 19-23 upon allowance of the claims under examination.

Claims 13, 25 and 28-30 are amended to clarify the claimed invention and correct informalities.

Claims 24, 26 and 27 are cancelled without prejudice or disclaimer thereto.

No new matter has been added.

**II. FOREIGN PRIORITY**

Submitted concurrently with this reply is a claim for foreign priority including a copy of PCT/IB/304. It is further noted that priority was claimed in the Declaration as filed and therefore this claim is timely and no petition or fee is required.

The Examiner is respectfully requested to acknowledge the claim of foreign priority by checking the appropriate boxes in the cover sheet of the next Office Action.

**III. INFORMATION DISCLOSURE STATEMENT**

Enclosed is a courtesy copy of the 1449 form submitted September 29, 2006.

In the previous Office Action, it was noted that a number of these references were not considered as only abstracts were supplied. The Office further indicated that such 1449 forms should recite "Abstract of" to clarify the record. It is noted that it is common practice to cite publications and then indicate "Abstract" in the translation column. However, to clarify the record, Applicants note that indication of "Abstract" in the translation column indicates that the

Examiner, by initially next to the reference, has only considered the abstract. Thus, the Examiner is respectfully requested to return a copy of the enclosed 1449 forms with initials next to references AI, AL, AM, AN (on page 1) and AE, AF, AG and AL (on page 2). It is understood that such initialing indicates that the Examiner has considered abstracts of these references.

In regard to references AK and AO (on page 1) as well as reference AF (on page 2), abstracts of these references are enclosed herewith. The Examiner is respectfully requested to initial next to the references listed in the 1449 forms with the understanding that such is consideration of the abstracts. It is further noted that reference AK on page 1 corresponds to GB 2 321 852, which is in English and cited in the 1449 form. Also, reference AO on page 1 corresponds to JP 07-101834, an abstract in English which was provided. It is noted that such correspondence are shown on page 3 of the IDS submitted with this 1449 form.

Finally, it is noted that reference AG on page 2 of the 1449 form has an English abstract on the front page thereof. It is further noted that the International Search Report shows that BMP-I has a sequence of KPPIG-Q as seen on page 6 of reference AG.

Finally, it is noted that reference AR is an article from a newspaper of which a concise explanation is found in paragraph [0007] of the specification.

Thus, in accordance with Patent Office practice, it is respectfully requested that the Examiner initial next to these references to indicate consideration of the abstracts or concise explanations thereof.

#### **IV. CLAIM OBJECTIONS**

On page 2 of the Office Action, claims 28-30 were objected to for not reciting SEQ ID NO's. This objection is overcome, for reasons which are self-evident, as applied to the amended claims.

**V. INDEFINITENESS REJECTION**

On pages 2-3 of the Office Action, claims 24 and 26-30 were rejected under 35 U.S.C. 112, second paragraph, as indefinite for the noted recitation. This rejection is overcome as applied to the amended claims, for reasons which are self-evident.

**VI. ANTICIPATION REJECTION**

On pages 3 and 4 of the Office Action, claims 24, 26 and 27 were rejected under 35 U.S.C. 102(b) as anticipated by the cited references. These claims are cancelled without prejudice or disclaimer thereto and therefore these rejections are moot.

**CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

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